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PHILADELPHIA

SOCIAL SCIENCE ASSOCIATION.

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THE ORGANIZATION OF

Local Boards of Health

IN PENNSYLVANIA.

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*Read at a Meeting of the Association,*

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✓ BY

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## PAPERS READ BEFORE THE ASSOCIATION.

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Papers out of Print are not included in this List.

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*The work of the Constitutional Convention.* By A. Sydney Biddle.  
*What shall Philadelphia do with its Paupers?* By Dr. Isaac Ray.  
*Proportional Representation.* By S. Dana Horton.  
*Statistics Relating to Births, Deaths, Marriages, etc., in Philadelphia.* By John Stockton Hough, M. D.  
*On the Value of Original Scientific Research.* By Dr. Ruschenberger.  
*On the Relative Influence of City and Country Life on Morality, Health, Fecundity, Longevity, and Morality.* By John Stockton Hough, M. D.  
*The Public School System of Philadelphia.* By James S. Whitney.  
*The Utility of Government Geological Surveys.* By Prof. J. P. Lesley.  
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*Outlines of Penology.* By Joseph R. Chandler.  
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*A Plea for a State Board of Health.* By Benjamin Lee, M. D.  
*The Germ-Theory of Disease, and its Present Bearing upon Public and Personal Hygiene.* By Joseph G. Richardson, M. D.  
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*The English Methods of Legislation Compared with the American.* By S. Sterne.  
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*Milk Supply of our Large Cities, etc., etc.* By J. Cheston Morris, M. D.  
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*Sanitary Influence of Forest Growth.* Dr. J. M. Anders.  
*Outline of a Proposed School of Political and Social Science.* By Edmund J. James, Ph. D.  
*The Organization of Local Boards of Health in Pennsylvania.* By Benj. Lee, A. M., M. D., Ph. D.

## THE ORGANIZATION OF LOCAL BOARDS OF HEALTH IN PENNSYLVANIA.

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THE important position assigned to hygiene and State medicine during the past decade is an evidence at once of an advanced stage of civilization and of a dense and rapidly increasing population. It indicates that the statesmen of a nation have at length reached that higher plane of political science in which they can appreciate that, as Lord Beaconsfield well phrased it, "the health of the people is the first duty of the statesman." But it also indicates that long occupancy of the land by successive generations has, at length, overtaxed the regenerative and self-purifying energies of mother earth—air, soil and water, in numerous localities; and that extraordinary methods have become necessary in order to maintain the balance of power on the side of her life-giving rather than her death-dealing forces. In support of the first of my propositions, allow me for a few moments to transport you from the busy din of this sordid manufacturing metropolis to one of the grand thoroughfares of ancient Rome, in the days when it was no vain boast that she was mistress of the world.

Sitting on this marble seat, and listening to the plash and murmur of this magnificent fountain, one of the many which dispense their bounteous store of limpid mountain water to the thirsty inhabitants of the world's capital at the rate of 322 gallons per diem to every man, woman and child, we can watch at our ease the gay panorama of human life which constantly unfolds itself before our eyes, under the refreshing shade of these towering palaces and glittering temples. How motley is the scene! Patrician and plebeian, freed-man and slave, knight on prancing horse, and travel-stained way-farer; merchant, senator, tradesman, jeweled princess, and ragged but comely fruit-dealer, all moving on, hither and thither, in apparently inextricable confusion. And the differing nationalities afford a no less

interesting object of study than the complexity of ranks and callings. East and west, north, and south, burning desert and frozen sea, have contributed the tintings of their varying climates to the countenances we gaze upon, from the jetty Ethiop to the ruddy athlete of the North, and costumes as various and bewildering as their physiognomies and complexion. And then the jargon of sound. Every man in his own tongue wherein he was born,—mingling with the richly-rolling Latin of the Roman and the Tuscan, the harsher accents of the Parthians and Medes and Elamites, and the dwellers in Mesopotamia and in Judea and Cappodocia, in Pontus and Asia, Phrygia and Pamphylia, in Egypt and in the parts of Libya about Cyrene, strangers in Rome, Jews and proselytes, Cretes and Arabians,—we do here them speak. Looking upon this wonderful representation in miniature of all the peoples of the earth, and remembering that each new type of face stands for a nation conquered and tributary, can we but ponder in amazement on the stupendous power thus displayed, and on the character of the intellect and the nature of the national organization which wielded this power, and thus asserted itself over all other intelligences and all other political organizations? But as we sit and chat, or meditate the problem, sounds of martial music are borne upon the vexed air, and as they draw nearer, and one after another of the jostling crowd catches the blare of the trumpets, an air of expectancy begins to manifest itself. Those whose business is not too urgent stop and become lookers-on like ourselves; urchins seek vantage ground on pedestals and balustrades and cornices; and soon the stragglers in the street are forced aside to make way for an approaching pageant. First, we see two lictors with their fasces, the axe in the bundle of twigs, an emblem of authority still familiar to the eye, on their shoulders, who force the crowd aside, and cry as they go, "Give way, good people; give way!" Following the musicians, with their attendant rabble, march three public slaves in rich uniform, and behind them a chariot in which sit two men of distinguished mien and thoughtful countenance, dressed in the ordinary garb of the private citizen, with some inconspicuous badge of office. One of them dictates as he rides, while the

other makes rapid notes upon a tablet which he has drawn from the fold of his toga. But he is constantly compelled to suspend his labor of composition, and courteously acknowledge the acclamations of the gazing public. He is evidently a popular favorite, this grave, dignified man of affairs. Bright eyes "rain influence" upon him, and hoarse voices applaud his name. But while we are gazing after him, a long retinue is passing before us. A second chariot, with two other men of refined appearance, also carrying tablet and styles, has gone by, and now we see a regiment—not of soldiers, but evidently from their uniformity of garb and the implements which they bear, public officials and employees, divided into five companies of about one hundred men each, with officers leading them, some bearing the badges of civic functionaries and some those of the imperial household; all well clad, and those who carry implements of labor, sturdy, well-fed, handsome fellows. A singular procession. Who can this great magnate be? Evidently not a military hero, although his bearing is somewhat martial. Let us ask this urchin, who has got tired of gazing, and is splashing his friend on the other side of the fountain. "Boy, is that the Emperor?" He shows all his white Italian teeth as, with a merry laugh, he shouts back, "No, indeed, my good gentlemen; far from it. That is his Excellency the Consul of the Waters. May all the gods bless him." And seeing, by the puzzled look upon our faces, that we are entire strangers, he obligingly explains. "Don't you know, old fellow? the Chief Engineer of the Water Department. He's going out to inspect the 'Virgin.'" We are still more in the dark, until he informs us that the "Virgin" is the aqueduct which supplies the soft and limpid water most in favor at the public baths. He further tells us that the gentleman with his Excellency was the Chief Architect, and the two in the chariot following, their private secretaries, and modestly adds, "And now, perhaps, the gentlemen will give us an obolus to buy some plums."

This, then, was the honor bestowed upon this the rank accorded to, officers of the public health in ancient Rome. Have we not here one solution of the problem which was occupying us when our attention was called away by the approaching pro-

cession? Was not Rome great, powerful, the mistress of nations, because her men, individually, were strong and vigorous in body and in mind? And were they not strong and forceful because their government cared for the public health, lavished money on water supply and sewers, and adequately paid and justly honored those to whom she confided the supervision of these important interests?

If it is true, as has been said, that there never was a land where, more than at Rome, the good of the State, as a whole, was the aim of every citizen, on the other hand, it is true that no state of antiquity made such ample and lavish provision for the protection of the lives and health of its citizens. The Temple of Hygeia was assigned a prominent position in the city. Her priests were among the most venerated of their order, and her shrines were thronged by the best educated and most thoughtful of the grave and reverend seniors of the city. The sources of rivers, fountains, and springs were all consecrated to some divinity with peculiar sacredness, and guarded from all pollution. Such an epidemic as that of Plymouth would have been impossible from such a cause in ancient Rome.

What better demonstration of the truth of my second proposition, viz.: that a decent regard for the laws of public health is forced upon us by the inability of the earth to regenerate the enormous mass of filth with which we are overwhelming it than the mention of that ill-fated mountain hamlet. She is but a type of a hundred, nay thousands, of others, large and small, which require but a spark to produce among their citizens an explosion beside which that of Hell-gate was but a tempest in a tea-pot. And woe unto us if we neglect the warning. Sodom and Gomorrah, cities of the plain, were not more surely doomed to utter destruction and desolation for their moral nastiness than we shall be for our physical nastiness. It was not the fire and sword of the Goth, but the plague, the black death, and a hundred other forms of pestilence, that laid Italy waste and made of Rome a heap of ruins. When the fires went out on the altars of Hygieia, and cleanliness became a sin, then it was that populations vanished like a dream, and habitations of men became the prowling places of wild beasts.

Contrast for a moment imperial Rome, munificently providing for the support and comfort of the head of the Water Department, crowning him with honors that gave him a rank among her highest dignitaries,—and the metropolis of one of the greatest States of the Union grudgingly doling out to the same functionary a salary just sufficient to enable him to maintain his family in respectability,—and you will agree with me that the result of the comparison is hardly flattering to the boasted civilization of the nineteenth century.

When, some two or more years since, I was endeavoring, under instructions from the American Medical Association and the Medical Society of this State, to create an interest in the movement in favor of a State Board of Health, I wrote to that distinguished medical author and military hygienist, Dr. John L. Leconte, among others, to beg him to aid in the effort. He replied by sending me a number of copies of a paper read by himself before the American Public Health Association, entitled "Sanitary Problems: the Proper and Rational Method in which Municipal Boards of Health should be Organized." In what I have to say I shall not scruple to borrow from his valuable essay, and I wish at the same time to add my tribute to his memory as that of a man devoted to his calling, his kind, and his God.

The first point that I would make in reference to the organization of local Boards of Health is that politics, in the bad, American sense of the term, should be utterly excluded in selecting the material for them. If there is a place where politics has no business, it is emphatically a health-board. The fitness of the individual, and not his opinion on the tariff, or his value as a ward worker, should be the test. And I may be pardoned here for digressing a moment to call attention to the fact that the Governor of this State, in his nominations for membership to the State Board of Health, has acted, at least in part, on this principle, by showing an utter disregard of the party affiliations of his appointees.

It follows from this dogma, which I regard as fundamental, that Boards of Health should not, where it is possible to avoid it, be elected by the people, certainly never in large cities. The

smaller the number of voters, other things being equal, the more likely will the nominees to any local office be to possess uprightness and respectability of character.

Secondly, Boards of Health should consist principally of physicians, for, as Dr. Leconte well says : " It is obvious that the proper execution of legal or political duties, which arise from purely human adjustments of interests, require a very different kind of mind and a distinct method of education from those which are necessary to interpret for the benefit of the community the laws of nature, or, as I would prefer to express myself, the laws of God as manifested in the material universe. The priests of nature, the men of science who carry on unceasing war against the four great bogies, as Charles Kingsley calls them in that delightful grown-up child's book, the 'Water Babies,' Self-Will, Ignorance, Fear, and Dirt, are not educated by the processes of the common school, nor are they elevated to position by the votes of their fellow-citizens."

Nor should what are called medical politics, the influence of cliques or of schools and dogmas be allowed to interfere. The medical members of the Board should be physicians, graduates of a respectable, regularly chartered school, of not less than three years standing in the practice of their profession, and, wherever it is practicable, men who have more especially devoted themselves to the study of sanitary science. With a majority of such men composing it, the Board will be able to lead, and not, as too often happens, be compelled to follow the public at large in sanitary knowledge and action.

But, thirdly, if it is important that a majority, or a considerable proportion, of the Board should be medical men, sanitarians by education and profession, it is quite as essential that they should not all be physicians. At least one of its members should be a man eminent among his fellows for prudence and judgment in trade and commerce. Doctors are proverbially poor business men. They do not even conduct their own business affairs prudently and rationally, and the best doctors, those who devote themselves most unsparingly to the good of their patients, are often the most careless and improvident in pecuniary matters. Emergencies constantly arise in which there is an

apparent conflict between the interests of commerce and those of health. There should be some one on the Board to represent the commercial side of the question, so that unnecessary restrictions may not be put upon trade.

In the fourth place, as the Board depends upon the local municipal authorities for the money to carry on its work, and the ordinances to make it effective, and as it is extremely desirable that there should be complete harmony of action and sentiment between the two bodies, it is well that there should be a representation of the one in the other, that one member of the Board should be also a member of the municipal council. The functions of these three classes of members will be, in brief: the first to decide and order what is necessary to be done for the protection of the public health; the second, to devise and carry out the means of executing the orders with the least inconvenience and expense to the community; and the third, to procure the necessary appropriations for the purpose.

Fifthly, it will be essential to the practical working of the Board that it shall employ a paid agent, who shall devote as much of his time as may be necessary to inspections and investigations of the sanitary conditions of the locality, and to carrying into execution the orders of the Board. This individual should be the most trusted and respected physician and best instructed sanitarian in the place, if he can be induced to accept the position, and his salary should be commensurate with the amount of labor imposed upon him. He should be styled the Health Officer of the city or town, should be the Executive Officer of the Board, should meet with it and have a voice in its deliberations, although it is probably wiser that he should not have a vote.

Finally—and let it be remembered that I am describing an ideal Board in the fair land of Utopia—every member of the Board should receive proper and adequate, I would even say generous, compensation for the time and labor which he devotes to its work.

It must seem almost incredible to intelligent foreigners that, while municipal officers, performing only routine and even clerical duties of a comparatively low order, requiring neither

education nor any very high degree of intelligence or sagacity, receive salaries and emoluments as large as that of the governors of our States, those men upon whom devolves the protection of our health and our lives against the pestilential effluvia of a dense aggregation of human beings, are expected to perform their labor gratuitously. Can it surprise us that the work is not always well done?

Of how many members shall the Board consist? In some States the model Board consists of six appointees, with the mayor added as presiding officer. In others, the limits are from three to seven. I should say that the body should not be so large that any member can shirk his duty on the ground that there are enough to attend to the business of the Board without him, nor, on the other hand, so small as not to afford a sufficiently wide range of thought and opinion. Three is certainly very small, seven is unnecessarily large, and may be unwieldy. Five appears to me a just mean, avoiding both extremes.

I have thus sketched rapidly and roughly what suggest themselves as the essential features of a scheme for local Boards of Health. How far is the plan practicable? For all cities, of whatever size, I think entirely so. Indeed, a careful study of the legislation upon the subject in our State reveals the fact that our Assembly has anticipated me in most of the provisions which have been proposed. The Act of the 23d of May, 1874, Section 46, provides that "the City Councils of any city of the third class, in which there does not now exist a Board of Health, organized according to law, shall have power to create a Board of Health as hereinafter provided," while that of the 11th of April, 1876, extends the same provision to cities of the fourth and fifth classes. To refresh your memories, I will recall to you that cities of the first class are such as have a population exceeding 300,000, cities of the second class a population exceeding 100,000, cities of the third class a population exceeding 30,000, cities of the fourth class a population exceeding 12,000, and cities of the fifth class a population exceeding 10,000, this last being the limit below which a city charter cannot be petitioned for. Philadelphia is, of course, the only city of the first class, and Pittsburgh, if I mistake not, the only city of the

second class existing, or likely for years to exist, in the Commonwealth. Both of these cities have long been blessed with Boards wisely organized and efficiently administered. From the law of May 23d, 1874, prescribing the form of organization for city boards, I make the following extracts:

I. The Board of Health shall be composed of five members, and shall be constituted as follows: The Mayor of such city, who shall be president *ex officio*, and four to be appointed by the council. The term of office of said members shall be two years. The members of said Board shall serve without compensation.

II. A majority of the whole number of members shall be a quorum. They shall have power to appoint a Health Officer, a Clerk, and as many ward or district physicians as they may deem necessary.

III. Councils may grant such Board power to abate and remove all and every nuisance in such city, and assess the cost and expense of the same upon the property, to regulate the construction and arrangement of water-closets and privy vaults, to create a complete and accurate system of registration of marriages, births, deaths, and interments, for purposes of legal and genealogical investigations, and to furnish facts for statistical, scientific, and, particularly, for sanitary inquiries, to visit houses suspected of infection, and "make all necessary investigations by inspection, and, on discovering that infectious or contagious disease exists, to send the person or persons so diseased to the pest-house or hospital."

"The council may grant power to make and pass all such orders and regulations as they shall from time to time deem necessary and proper for the public health and for the prevention of diseases: said orders and regulations, when adopted, shall have all the force and effect of ordinances of such city." See. IV, gives ample power for the abatement of all nuisances.

Sec. V, empowers the Mayor and makes it his duty to detail from his police force, or to newly appoint, whenever in the opinion of the Board of Health the public health and sanitary condition of the city require it, a police force, which, when so detailed or appointed, shall be known as the "Sanitary Police."

Said sanitary police, whose members are "to be determined by the Board of Health," to be subject to the exclusive direction and control of said Board, for the enforcement of proper sanitary measures, and for the promotion of the public health.

The penalty for violations of this Act, or of any order, law or ordinance made under or referred to in it (whether active or passive), resulting from ignorance or intention, in the way of neglect, of obstruction or of interference, is fine and imprisonment, or both, such fine not to exceed one hundred dollars and such imprisonment not to exceed ninety days.

Sec. IX declares that it shall be the duty of the council of any city, upon application and certificate from the Board of Health, to pass the necessary appropriation ordinances to pay the expenses of the Board.

The Act of May 21, 1870, makes it the duty of all such city boards "to furnish separate books, in which shall be registered in the manner hereafter directed, the returns made to said boards of the marriages which may be contracted and the births and deaths that may occur in said cities, making it binding upon every clergyman, magistrate, physician, midwife, clerk, or other official or professional attendant, to make reports of such occurrences and sets under penalty." This is an admirable enactment, but no such provision exists now for cities. Hence, even if every city in the Commonwealth had complied with the spirit of the law by establishing a Board of Health and adopting the prescribed system of registration (which, unfortunately, is very far from being the case), the results, as far as state registration of vital statistics goes, would be too meager to be of the least value. It is evidently of the first importance, then, both from a statistical and a sanitary point of view, that the benefits of this law, in the main eminently wise and judicious, should be extended to the entire population of the State, whether living in rural districts or aggregated into villages. How far is this possible? The first question which meets us in this inquiry is as to the geographical area over which a local board can efficiently exercise its functions of supervision, inspection, and statement. Obviously this must not be too large. The size of our country, equaling that of some States of the Union, and

of some principalities of Europe, makes them, to my mind, very undesirable as sanitary districts, and it is probably well that the bill to create a State Board of Health, which contained a clause establishing county boards, and which was before the Legislature a few years ago, failed, as it would probably have been, in that feature, to a great extent, inoperative. The laws already existing make a certain amount of provision for the health interests of those living in incorporated boroughs or villages, but for those inhabiting unincorporated villages, or the country, no health-legislation exists beyond such as is conveyed in the act to create a State Board of Health. The State Board has already had complaints made to it of petty nuisances in rural sections and villages, in all parts of the State, but it would manifestly be impossible for it to attend to such complaints to any extent, nor indeed is that the object of its creation. I mention the fact simply to show that there is a felt want for local boards throughout the country. By the Act of April 1st, 1884, the number of inhabitants of any town or village requisite to enable it to apply for an act of incorporation is three hundred. It will rarely happen, except in the immediate vicinity of large cities, that in any collection of people permanently resident smaller than this, a sufficient number of individuals will be found who have at once the qualifications and the inclination to supervise sanitary work. But, this limit being reached,—the principal citizens, beginning to appreciate the necessity of taking matters into their own hands and assuming the functions of local self-government, the time has also arrived when it has become at once their privilege and their duty to provide for the systematic protection of the health and lives, as well as of the goods and chattels of their community. The officers of such an incorporated village or borough are a burgess and town council, consisting of five members. Among the powers vested in these corporate officers are certain of a sanitary character, such as “to make all needful regulations respecting vaults, cesspools, sinks, and drains,” to prohibit and remove any nuisance or offensive-matter, whether in the highways or in public or private ground; to make regulations relative to accumulations of manure, compost, and the like in barns, stable-yards and other places, and

to prohibit the keeping of hogs within the borough. "To prohibit, within the limits of the borough, the burial or interment of deceased persons," and "to make such other regulations as may be necessary for the health and cleanliness of the borough." Also to provide a water-supply for the use of the inhabitants, and to make needful regulations for its protection. In point of fact the burgess and town council constitute the Board of Health of the borough, with all the necessary powers; and it is easy to see how, with very slight modification, the law intended for cities might be made to apply to them. We have not here the necessary material for the composition of our model board. There are not physicians enough of the character indicated in any such small aggregation of individuals to fill the bill. If in every village we can find one such, we shall be more than fortunate. Under our present loose system of medical education and registration, men are not wanting who are at the same time practising medicine and practising upon the credulity of the public, whose more fitting occupation would be holding the plough or wielding the blacksmith's hammer—men who, so far from being learned, do not even possess the rudiments of a public school education. A man who will begin cholera with a "k," end it with a "y," and give it the generous allowance of two "l's," is not the man the community would naturally look to for advice as to keeping this dread enemy at bay. Hence, in a village or borough where the only representative of our disgraced profession is such as I have alluded to, it would be manifestly unwise to insist that even one member of the Board, or the Health Officer himself, should be a physician. The council is already in existence; its functions, apart from this, are not numerous or engrossing; its power is absolute. The burgess himself will certainly fill the post more efficiently and more acceptably than an ignorant and dishonest pretender to an honorable calling. But the unincorporated villages and rural districts are still unprovided for. The only remaining geographical division, with fixed officers, is the township, and this seems to afford a good basis for health organization. It is not too large to be easily supervised, and its care will naturally include that of all the unincorporated villages within its limits. Its legal officers are: 1st, an assessor; 2d, two

supervisors ; 3d, a treasurer ; 4th, a clerk ; 5th, three auditors. In an area of this size, with a reasonably full population, it ought not to be difficult to find two respectable physicians capable of conducting sanitary investigations. The two supervisors, treasurer, and clerk, associating with themselves one physician as a member of the Board, might appoint another as health officer of the township, while the senior or chief supervisor should be the president of the Board. Such a body would be thoroughly conversant with the necessities of the community, and being already, in part, existent, would possess the confidence of its constituents ; the same general powers should be conferred upon them as upon the councils of boroughs, and they could then fall back upon the law creating the city health boards for a detailed schedule of their duties. Thus we should have a complete sanitary system whose organization would permeate every remotest corner of the State, reporting regularly to the central head, and receiving from it in return information, aid, countenance and support in the discharge of its important and beneficent functions.

If the members of a city board are not to be elected, how shall they be appointed ? The law says by the city councils. This is giving the councils too much control. "Some years ago," says Dr. Richardson, of the Philadelphia Board of Health, in a recent admirable address on "Hygiene," before the State Medical Society, "the health authorities of a large town in one of our Western States undertook to abolish pig-styes in the built-up portions of their jurisdiction. Unfortunately, this improvement was so far in advance of public sentiment that two or three of the aldermen of the place, being disturbed by it in the fattening of the usual winter supply of pork, called together their-fellow-legislators, and incontinently abolished the entire Board of Health. Even in our own State the Health Officer of an important borough told me that, a few years since, when, by great exertions and considerable expense, he had prevented an epidemic of smallpox, he was, after all danger had subsided, publicly denounced for his costly sanitary measures, which were, according to these malcontents, proved useless by the fact that the disease did not spread, and also that no inconven-

ience had been suffered by the townspeople from the few cases which did occur.

The appointment, then, manifestly should not rest wholly with councils, at least. A portion—the greater portion—of the members should be appointed by the Courts, and not removable by the will of councils. But how are the Courts, learned as they may be in the law, to judge of the qualifications of physicians who may be recommended to them for filling these responsible positions. Let the County Medical Societies nominate for each position to be filled two or more physicians, from the number of which the Judge or Court shall be required to make his selection, and, in a similar spirit, and with a like regard for the public good, let the Chamber of Commerce, Board of Trade or other respectable commercial organization, nominate candidates for the business man of the Board. Thus men will be secured for the places whose peers have passed upon their fitness, and the possibility of mistaken appointments will be greatly diminished.

In conclusion, I desire to say that I have presented these thoughts in a tentative and not in a dogmatic spirit. Our sanitary system is waiting to be moulded. It is desirable that no false steps should be taken at the outset, and I cordially invite criticism and suggestion from all interested in this momentous question, whether members of this public-spirited and intelligent association, whose courtesy in inviting me to appear before it I desire gratefully to acknowledge, or others who interest themselves in the good of their fellows, and who believe that, in this dispensation of good-will, every man is his brother's keeper.

